United Nations S/RES/2021 (2011)

Security Council

Distr.: General
29 November 2011

Resolution 2021 (2011)

Adopted by the Security Council at its 6671st meeting, on 29 November 2011

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Taking note of the interim and final reports (S/2011/345 and S/2011/738) of the Group of Experts on the Democratic Republic of the Congo ("the Group of Experts") established pursuant to resolution 1771 (2007) and extended pursuant to resolutions 1807 (2008), 1857 (2008), 1896 (2009) and 1952 (2010) and of their recommendations, and *welcoming* the ongoing collaboration between the Group of Experts and the Government of the Democratic Republic of the Congo, as well as other Governments in the region and other international forums,

Reiterating its serious concern regarding the presence of armed groups in the Democratic Republic of the Congo, including the provinces of North and South Kivu and Orientale Province, which perpetuate a climate of insecurity in the whole region, and *reiterating its concern* about the support received by these armed groups from regional and international networks,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo in violation of resolutions 1533 (2004), 1807 (2008), 1857 (2008), 1896 (2009) and 1952 (2010), *declaring* its determination to continue to monitor closely the implementation of the arms embargo and other measures set out by its resolutions concerning the Democratic Republic of the Congo, and *stressing* the obligation of all States to abide by the notification requirements set out in paragraph 5 of resolution 1807 (2008),

Please recycle

Recalling the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Underlining the importance of economic development to ensure long-term stabilization and peace consolidation, *expressing* in this regard its concern about further rise in unemployment and worsened poverty in some mining areas, and *noting* at the same time the link between the exercise of due diligence by some *comptoirs*, the improvement of the mining sector governance and the rise of minerals production and export in other mining areas as reported by the Group of Experts,

Welcoming the regional efforts by the countries of the Great Lakes region in the context of the International Conference on the Great Lakes Region against the illegal exploitation of natural resources, *noting* the commitment of these countries to establish a Regional Initiative against the Illegal Exploitation of Natural Resources and their endorsement of the due diligence guidelines, as defined by the Organization for Economic Cooperation and Development, and *encouraging* those states to implement the components of the Regional Initiative,

Expressing its concern that armed groups are turning increasingly to new sources of funding through diverse criminal activities, including illicit drug trafficking, illegal taxation and agricultural sales,

Noting with great concern the persistence of human rights abuses and humanitarian law violations against civilians in the eastern part of the Democratic Republic of the Congo, including the killing and displacement of significant numbers of civilians, the recruitment and use of child soldiers, and widespread sexual violence, *stressing* that the perpetrators must be brought to justice, *reiterating* its firm condemnation of all human rights abuses and international humanitarian law violations in the country, and *recalling* all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 30 November 2012 the measures on arms imposed by paragraph 1 of resolution 1807 (2008) and *reaffirms* the provisions of paragraphs 2, 3 and 5 of that resolution;

2. *Decides* to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807 (2008) and *reaffirms* the provisions of paragraph 7 of that resolution;

3. *Decides* to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807 (2008) and *reaffirms* the provisions of paragraphs 10 and 12 of that resolution regarding the individuals and entities referred to in paragraph 4 of resolution 1857 (2008);

4. *Requests* the Secretary-General to extend, for a period expiring on 30 November 2012, the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions and *requests* the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807 (2008) and expanded by paragraphs 9 and 10 of resolution 1857 (2008), and to report to the Council in writing, through the Committee, by 18 May 2012 and again before 19 October 2012;

5. *Reaffirms* the provisions of paragraphs 6 to 13 of resolution 1952 (2010) and *requests* the Group of Experts to include in their evaluation of the impact of due diligence a comprehensive assessment on the economic and social development of the relevant mining areas in the Democratic Republic of the Congo;

6. *Welcomes* the support of the due diligence guidelines, as defined by the United Nations Group of Experts and the Organization for Economic Cooperation and Development, by the Democratic Republic of the Congo, *welcomes further* the measures taken by the Congolese Government to implement the guidelines and *calls on* all States to assist the Democratic Republic of the Congo and the countries in the Great Lakes region in the implementation of the guidelines;

7. *Encourages* all States, particularly those in the region, to continue to raise awareness of the United Nations Group of Experts due diligence guidelines, in particular in the gold sector as part of broader efforts to mitigate the risk of further financing armed groups and criminal networks within the Armed Forces of the Democratic Republic of the Congo (FARDC) in the Democratic Republic of the Congo;

8. *Encourages* the Democratic Republic of the Congo and the States in the Great Lakes region to require their customs authorities to strengthen their control on exports and imports of minerals from the Democratic Republic of the Congo and *calls upon* the international community to assist the Democratic Republic of the Congo and other States in the Great Lakes region as necessary and requested, to enhance their capacities in this regard;

9. *Recommends* that all States, particularly those in the region, regularly publish full import and export statistics for natural resources including gold, cassiterite, coltan, wolframite, timber, and charcoal and enhance information sharing and joint action at the regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation of natural resources;

10. *Recalls* the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to support the relevant Congolese authorities in preventing the provision of support to armed groups from illicit activities, including production and trade in natural resources, notably by carrying out spot checks and regular visits to mining sites, trade routes and markets, in the vicinity of the five pilot trading counters;

11. *Encourages* the Government of the Democratic Republic of the Congo to enhance stockpile security, accountability and management of arms and ammunition, with the assistance of international partners as necessary and requested, and to urgently implement a national weapons marking program, in particular for state-owned firearms, in line with the standards established by the Nairobi Protocol and the Regional Centre on Small Arms;

12. *Encourages* the Government of the Democratic Republic of the Congo to continue to address the underlying issue of the cohesion of the national Army, including by further ensuring proper integration and vetting of former armed groups, in particular the Congrès National pour la Défense du Peuple (CNDP), into the FARDC, to ensure that members of the National Army are paid in a timely fashion, operate in accordance with established command and control regulations, and are subject to such disciplinary action as may be appropriate when regulations are violated, and to ensure that the Congolese security forces redeploy to mitigate the threats caused by security vacuums, including those which have arisen during the reconfiguration process of the FARDC;

13. *Demands* that all armed groups, in particular the FDLR, the LRA, Mai Mai Yakutumba, the Forces Nationales de Libération (FNL) and the Allied Democratic Forces (ADF) lay down their arms and immediately cease all forms of violence, human rights abuses and international humanitarian law violations against the civilian population in the Democratic Republic of the Congo and the Great Lakes region, in particular against women and children, including rape and other forms of sexual abuse, and demobilize;

14. *Welcomes* the ongoing efforts of the Congolese authorities to fight against impunity and *encourages* their continuation, including against perpetrators of human rights abuses and international humanitarian law violations, including sexual violence, and against those responsible for illegal exploitation of natural resources, including those committed by any illegal armed groups or elements of the FARDC;

15. *Stresses* the importance of the Congolese Government actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through its ongoing cooperation with the International Criminal Court and *encourages* MONUSCO to use its existing authority to assist the Congolese Government in this regard;

16. *Encourages* enhanced cooperation between all States, particularly those in the region, MONUSCO and the Group of Experts, *encourages further* that all parties and all States ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control and *reiterates* its demand that all parties and all States ensure the safety of its members, and unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate;

17. *Calls upon* the Group of Experts to cooperate actively with other relevant panels of experts, in particular that on Côte d'Ivoire re-established by paragraph 13 of resolution 1980 (2011) and that on Liberia re-established by paragraph 6 of resolution 1961 (2010) with respect to natural resources;

18. *Encourages* MONUSCO to take into account the findings of the Group of Experts regarding armed groups and challenges to the integration of armed groups in the Mission's contingency plans in the six-month post-electoral period;

19. *Calls upon* all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 3 of this resolution are based, to regularly report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2, and 3 and recommended in paragraph 8 of resolution 1952 (2010);

20. *Encourages* all States to submit to the Committee for inclusion on its list of designees, individuals or entities that meet the criteria set out in paragraph 4 of resolution 1857 (2008), as well as any entities owned or controlled, directly or indirectly, by the submitted individuals or entities or individuals or entities acting on behalf of or at the direction of the submitted entities;

21. *Decides* that, when appropriate and no later than 30 November 2012, it shall review the measures set forth in this resolution, with a view to adjusting them, as appropriate, in light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups;

22. *Decides* to remain actively seized of the matter.